

**ACTION AGENDA
BOARD OF COUNTY COMMISSIONERS**

**ROBERT L. ANDERSON ADMINISTRATION CENTER
4000 SOUTH TAMiami TRAIL
COUNTY COMMISSION CHAMBER
VENICE, FLORIDA**

9:00 a.m.

Nora Patterson, Chair, District 4
Shannon Staub, Vice Chair, District 3
Paul H. Mercier, District 1
Joseph A. Barbetta, District 2
Jon Thaxton, District 5

INVOCATION

PLEDGE OF ALLEGIANCE

Commissioner Barbetta

PRESENTATION OF PROCLAMATIONS:

Beyond the Book Day - March 23, 2007
National Surveyors Week - March 18 through March 24, 2007
Water Conservation Month - April 2007

NOTE: Unfinished items may be carried over to tomorrow's agenda.

CONSENT SECTION:

All matters listed under the Consent Section are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired by a Commissioner, the item(s) will be considered at the end of the Consent Section.

RATIFIED

- 1. ADMINISTRATION**
To ratify the previously issued Proclamation for Howard University Day - March 18, 2007.

APPROVED

- 2. ADMINISTRATION**
To approve a Contract, with Sarasota County Openly Plans for Excellence (SCOPE) for Fiscal Year (FY) 2007, in the amount of \$165,440.00.

AUTHORIZED

- 3. COMMUNITY SERVICES**
To authorize submittal of a Grant Application to the Florida Department of State, Division of Library and Information Services, to obtain funding for the construction of the Mid-County Public Library to be located at 4001 East Bay Street, Osprey.

APPROVED/ADOPTED

- 4. COMMUNITY SERVICES**
 - A.** To approve a Contract, a Lease Agreement, with ResortQuest Southwest Florida, LLC, for the commercial office building located at 4016 Gulf of Mexico Drive, Longboat Key, in the amount of \$1,700.00 per month plus sales tax;
 - B.** To adopt a Resolution, Budget Amendment No. B2007-034, amending the Fiscal Year (FY) 2007 Budget to appropriating the funds from the lease of the Longboat Key commercial office building, in the amount of \$10,200.00.

APPROVED

5. EMERGENCY SERVICES

To approve a Contract, Amendment No. 1 to Contract No. 2007-065, with Sarasota K-9 Search and Rescue, Inc., to correct the reimbursement of volunteer hours.

AUTHORIZED

6. ENVIRONMENTAL SERVICES

To authorize advertisement of a Notice of Intent and a public hearing to name an Environmentally Sensitive Land Protection Program (ESLPP) site located along the Myakka River between Interstate 75 (I-75) and U.S. 41.

APPROVED

7. ENVIRONMENTAL SERVICES

To approve the Land Management Plan for the Deer Prairie Creek Preserve, pursuant to Contract No. 2006-250, a Management Agreement with the Southwest Florida Water Management District (SWFWMD) for the Deer Prairie Creek Project.

APPROVED

8. ENVIRONMENTAL SERVICES

To approve a Contract, Specific Authorization No. 2 to Contract 2004-134, with Mote Marine Laboratory for ecological monitoring and reporting services, in the amount of \$135,540.36.

APPROVED/ADOPTED

9. ENVIRONMENTAL SERVICES

- A. To approve a Contract, an Assignment of Option to Purchase, from the Sarasota Conservation Foundation and The Nature Conservancy authorizing acquisition of 0.23 acres ± from Lorena Dailey for property located within the Warm Mineral Springs Creek Protection Priority Site, Lots 15 and 16, Block C, Unit 55, in the amount of \$49,153.00;
- B. To adopt a Resolution, authorizing the County Administrator, or designee, to exercise the Option to Purchase the Dailey property upon completion of all due diligence involved in the acquisition.

APPROVED

10. FINANCIAL PLANNING

To approve payment to Shelly McKay, P.A., IOTA Trust Account for full and final settlement of the subrogation claim to Allstate Insurance as subrogee of Kathleen Hanson, in the amount of \$5,258.85.

AUTHORIZED

11. FINANCIAL PLANNING

To authorize the disposal of vehicles and off-road equipment.

ADOPTED/APPROVED

12. FINANCIAL PLANNING

- A. To adopt a Resolution, authorizing execution of the Agreement for the expansion of the existing cable television franchise service area.
- B. To approve a Contract, Amendment No. 1 to Contract No. 2007-377, with Verizon Florida, LLC, to expand the initial cable television service area to include 5,900 households in an area north and east of the City of Venice;

AUTHORIZED**13. FINANCIAL PLANNING**

To authorize advertisement of a public hearing to consider a proposed Ordinance, repealing and replacing Ordinance No. 77-42, the Florida Power and Light Franchise Ordinance and to waive the requirement for an Economic Impact Statement (EIS).

APPROVED**14. HEALTH AND HUMAN SERVICES**

To approve a Contract with the University of South Florida (USF) Board of Trustees for Substance Abuse and Mental Health Services Administration (SAMHSA) evaluation services, in the amount of \$229,488.00.

AUTHORIZED**15. PUBLIC WORKS**

To authorize the replacement of Attachment B to Contract No. 2007-118, a Maintenance Agreement with the Florida Department of Transportation (FDOT) approved by the Board on December 12, 2006, and authorized by Resolution No. 2006-258, to include the specifications for edging and sweeping.

APPROVED/ADOPTED**16. PUBLIC WORKS**

- A. To approve a Contract with Habitat for Humanity Sarasota, Inc., for the sale and purchase of four County-owned residential lots lying within property described as Parcel Identification Numbers (PID) 2024-01-0008, 0028-05-0039, 0028-05-0040, and 0028-12-0046, to be used for affordable housing, in the amount of \$100.00;
- B. To adopt a Resolution authorizing the Chair to sign the deeds conveying the four County-owned residential lots to Habitat for Humanity Sarasota, Inc., and to release the County's interest in and title to phosphate, minerals, metals, and petroleum relative to the four parcels.

RATIFIED/APPROVED**17. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER**

To ratify and approve the warrants dated March 5 through March 9, 2007, in the amount of \$23,635,545.92, as detailed in the voucher packages filed in the Finance Department.

DISCUSSION SECTION**APPOINTMENT MADE****18. ENVIRONMENTAL SERVICES**

To consider the appointment of one individual to serve a four-year term on the Stormwater Environmental Utility Advisory Committee (SEUAC), as the General Representative, effective through March 2011.

AUTHORIZED/APPROVED/ADOPTED/AUTHORIZED EXECUTION

19. PLANNING AND DEVELOPMENT SERVICES

Sitting as the Community Redevelopment Agency (CRA):

- A.** To authorize the CRA Chair to execute the Promissory Note with the County for the acquisition of the Cooper Holdings, LP, property located at 800 West Perry Street, Englewood and for improvements to the site to be repaid over a five-year period with interest in the amount of \$2,295,000.00;
- B.** To approve the purchase of the Cooper Holdings, LP, property in the amount of \$2,195,000.00 plus closing costs estimated at \$25,000.00 and \$75,000.00 to make site improvements utilizing funds borrowed on a short-term loan with the County in the amount of \$2,295,000.00;

Sitting as the Board of County Commissioners:

- C.** (Not a public hearing.) To consider a proposed Resolution approving an Interfund Loan to the Englewood Community Redevelopment Agency and authorizing the execution of a Promissory Note in favor of Sarasota County, \$2,295,000.00 for the acquisition of the Cooper Holdings, LP, property located at 800 West Perry Street, Englewood, and for site improvements to be repaid over a five-year period with interest;
- D.** (Not a public hearing.) To authorize execution of the Purchase Contract and to authorize Staff to secure all necessary documents for the acquisition of the Cooper Holdings, LP, property located at 800 West Perry Street, Englewood, in the amount of \$2,195,000.00 plus closing costs estimated at \$25,000.00 for a total of \$2,220,000.00, with the remaining funding to be used for site improvements.

RECOMMENDED ITEMS FOR REVIEW/DISCUSSION AT THE BOARD MEETING IN MAY 2007

20. FINANCIAL PLANNING

To consider the Surtax Advisory Task Force (SATF) Report.

PUBLIC HEARINGS:

THE SARASOTA COUNTY CHARTER REQUIRES THAT EVIDENCE AND TESTIMONY PRESENTED DURING PUBLIC HEARINGS SHALL BE UNDER OATH. PERSONS PRESENTING EVIDENCE AND/OR TESTIMONY ARE REQUIRED TO COMPLETE AND SIGN THE REQUEST TO SPEAK CARD.

ADOPTED, AS AMENDED

21. PLANNING AND DEVELOPMENT SERVICES

Public hearing to consider a proposed Resolution, Variance Petition Nos. LDS 2000-00544 and LDS 2001-00779, a petition by Howard Horton, represented by Attorney William Dooley, to reinstate construction authorization for the Bee Ridge Park of Commerce Subdivision and the Bee Ridge Park of Commerce Tracts A-H for a two-year extension, pursuant to the Land Development Regulations.

REPORTS SECTION

NOTED

22. CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER'S REPORT

- A.** Filed for Record List.

DEFERRED TO MARCH 21, 2007

23. COUNTY ADMINISTRATOR'S REPORT

DEFERRED TO MARCH 21, 2007

24. COUNTY ATTORNEY'S REPORT

DEFERRED TO MARCH 21, 2007

25. COMMISSION AND COMMITTEE REPORTS

DEFERRED TO MARCH 21, 2007

26. ADMINISTRATION

Outstanding Board assignments.

DEFERRED TO MARCH 21, 2007

27. ADMINISTRATION

Review of Board Meeting Schedule.

28.

**JOINT MEETING WITH THE
ENGLEWOOD COMMUNITY REDEVELOPMENT AREA (CRA)
ADVISORY BOARD**

Nora Patterson, Chair, District 4
Shannon Staub, Vice Chair, District 3
Paul H. Mercier, District 1
Joseph A. Barbetta, District 2
Jon Thaxton, District 5

Board Member John Radkins, Chair
Board Member Harry Colburn, Vice Chair
Board Member Norman Caldwell
Board Member John Davison
Board Member Mary Ellen Diez
Board Member John Mead
Board Member Todd Tracy

**RECOMMENDED ITEMS FOR REVIEW/DISCUSSION AT A FUTURE BOARD MEETING
APPROVED CONCEPTUALLY THE RELOCATION OF THE PERFORMING ARTS CENTER
TO THE GREEN STREET PROPERTY UNDER A LONG TERM LEASE WITH THE
COUNTY SUBJECT TO REVIEW AND APPROVAL BY THE BOARD**

- A.** Presentation of the Englewood CRA Advisory Annual Report by Chair John Radkins
- B.** Update to the Englewood Redevelopment Plan by Ted Brovitz of Stantec Consulting Services
 - 1.** Overall CRA Plan with Land Use Management Districts
 - 2.** Preliminary Concept Plans for Existing and Proposed Projects
 - 3.** Preliminary Project List and Action Plan

EXECUTIVE SESSION HELD

29. COUNTY ATTORNEY

The County Attorney requests an executive session with the Board of County Commissioners in accordance with Florida Statute §286.011(8) to discuss Tracey P., Ric Z., Richard A., Gerard O., and Renaissance Manor, Inc., v. Sarasota County and Joseph and Maria Serna, U.S. District Court Case No. 8:05-CV-927-T-27EAJ and United States of America and Coastal Behavioral Health Care, Inc., v. Sarasota County, U.S. District Court Case No. 8:06-CV-1221-JDW-EAJ.

(Note: Attending the meeting will be the members of the Board of County Commissioners: Chair Nora Patterson, Vice Chair Shannon Staub, Comms. Joseph A. Barbetta, Paul H. Mercier, and Jon Thaxton; County Administrator James Ley; County Attorney Stephen DeMarsh; Assistant County Attorney Gary Oldehoff; Attorney Christopher Hanback, Attorney Lynn Calkins, and Attorney Kelli Edson, of the law firm of Holland and Knight; and a Court Reporter.)

2:00 p.m.

NO ACTION TAKEN

30. OPEN TO THE PUBLIC (Three-minute time limit per person/per meeting, up to 30 minutes. Unheard speakers continued to end of meeting.)

DISCUSSION SECTION - Continued

DENIED

31. PUBLIC WORKS

To consider a Road Impact Fee Appeal for Permit No. 05-441985 BC, a petition by Bernard Whitman on behalf of the Englewood Art Center located at 350 South McCall Road, Englewood.

CONTINUED TO THE NEXT CONSENT AGENDA MEETING DATE

32. PUBLIC WORKS

To consider a proposed Resolution establishing a new process for Plat Vacation Petitions.

PUBLIC HEARINGS: - Continued

THE SARASOTA COUNTY CHARTER REQUIRES THAT EVIDENCE AND TESTIMONY PRESENTED DURING PUBLIC HEARINGS SHALL BE UNDER OATH. PERSONS PRESENTING EVIDENCE AND/OR TESTIMONY ARE REQUIRED TO COMPLETE AND SIGN THE REQUEST TO SPEAK CARD.

AMENDMENTS MADE/CONTINUED TO SEPTEMBER 25, 2007, AT 9:00 A.M., OR AS SOON THEREAFTER AS POSSIBLE

33. ENVIRONMENTAL SERVICES

- A.** Public hearing to consider proposed Ordinance No. 2007-023, amending Ordinance No. 79-03, the Gulf Beach Setback Line (GBSL) Code, as amended and codified in Chapter 54, Article XXII, of the County Code, to provide consistency with the Comprehensive Plan Amendments adopted during the Evaluation and Appraisal Report (EAR) process;
- B.** Land Development Regulation Commission to find proposed Ordinance No. 2000-086 to be consistent with the Sarasota County Comprehensive Plan. (Must be done prior to final adoption of the Ordinance.)

ADOPTED, AS AMENDED

34. PLANNING AND DEVELOPMENT SERVICES

Public hearing to consider a proposed Resolution, Special Exception Petition No. 1633, a petition by Sam Bohl, Agent, to allow the expansion of a place of worship and child care center on 2.2 acres ± located at the northeast corner of Woodmere Road and Orange Road. (Planning Commission recommended approval with five stipulations.)

NO ACTION TAKEN

35. OTHER BUSINESS

NO ACTION TAKEN

30. OPEN TO THE PUBLIC - Continued (Three-minute time limit per person/per meeting.)